

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION**

UNITED STATES OF AMERICA )  
 )  
 v. ) CAUSE NO.: 1:19-CR-13-HAB  
 )  
 MICHAEL A. MAXEY )

**ORDER**

This matter is before the Court on the Defendant's Letter/Motion Regarding Communication Issues With Counsel [ECF No. 149] filed on January 8, 2021. The Defendant is represented by counsel, but his Motion was not filed through his counsel.

The Court advises the Defendant that he does not have the right to file his own motions when represented by counsel. By filing submissions *pro se*, the Defendant is attempting to represent himself and be represented by counsel, but these are mutually exclusive entitlements. *United States v. Campbell*, 659 F.3d 607, 612 (7th Cir. 2011), *vacated on other grounds by* 133 S. Ct. 190 (2012); *United States v. Gwiazdzinski*, 141 F.3d 784, 787 (7th Cir. 1998). The Defendant should discuss any matters that require the Court's attention with his attorney.

Accordingly, the Court **ORDERS** the Clerk of this Court to **STRIKE WITHOUT PREJUDICE** the Defendant's Motion [ECF No. 149], but that it is to remain a part of the record, and accessible by counsel. The Court reminds the Defendant to file all future submissions through counsel. The Clerk is directed to mail a copy of this Order to the Defendant.

SO ORDERED on January 8, 2021.

s/ Holly A. Brady  
HOLLY A. BRADY, JUDGE  
UNITED STATES DISTRICT COURT